1 RENE L. VALLADARES Federal Public Defender 2 Nevada State Bar No. 11479 RAQUEL LAZO 3 Assistant Federal Public Defender Nevada State Bar No. 8540 4 411 E. Bonneville, Ste. 250 Las Vegas, Nevada 89101 5 (702) 388-6577/Phone (702) 388-6261/Fax 6 Raquel Lazo@fd.org 7 Attorney for Andy Phouphayry 8 UNITED STATES DISTRICT COURT 9 DISTRICT OF NEVADA 10 11 UNITED STATES OF AMERICA, Case No. 2:23-mj-00360-NJK 12 Plaintiff, **UNOPPOSED MOTION TO** WITHDRAW DEFENDANT'S 13 v. WAIVER OF TEMPORARY RIGHT TO CUSTODY UNDER THE IAD 14 ANDY PHOUPHAYRY, (ECF NO. 9) 15 Defendant. 16 17 On April 25, 2023, defense counsel inadvertently filed a Waiver of Temporary 1) 18 Right to Custody under the Interstate Agreement on Detainer's Act (IAD) on the defendant's 19 behalf. As a prisoner already incarcerated in the state system, Mr. Phouphayry wishes to invoke 20 his right pursuant to the "anti-shuttling" provisions of the IAD and remain in temporary custody 21 in the federal system during the pendency of his federal prosecution. Defense counsel requests 22 that the waiver be withdrawn. Mr. Phouphayry has no opposition. 23 2) Government counsel has no opposition to this request. 24 IT IS SO ORDERED. Dated: April 27, 2023 25 26 Nancy J. Koppe

United States Magistrate Judge

DATED this 26th day of April, 2023.

RENE L. VALLADARES Federal Public Defender

By: /s/ Raquel Lazo

RAQUEL LAZO Assistant Federal Public Defender Attorney for Andy Phouphayry